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June 22, 2004

By Facsimile/Confirmation by Mail

Mr. Christian Gimber
Wacker Chemical Corporation
3301 Sutton Road
Adrian, Michigan 49221-9397

Dear Mr. Gimber:

You have asked whether the α -cyclodextrin manufactured by Wacker Chemical Corporation (Wacker) may be legally marketed in the United States for food use. The answer is yes, Wacker's α -cyclodextrin may be marketed immediately for use in foods.

As you know, many substances added to foods are not food additives and do not require approval by the Food and Drug Administration (FDA) prior to use. These substances, popularly known as "GRAS" substances, are considered to be "generally recognized as safe." As stated in the Federal Food, Drug, and Cosmetic Act (FDC Act), a GRAS substance is

generally recognized, among experts qualified by scientific training and experience to evaluate its safety, as having been adequately shown through scientific procedures (or in the case of a substance used in food prior to January 1, 1958, through either scientific procedures or experience based on common use in food) to be safe under the conditions of its intended use.

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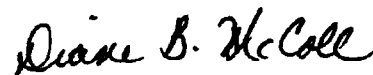
21 U.S.C. § 321(s). If a substance is found to be GRAS under the intended conditions of use, FDA approval or notification is not required prior to such use. FDA acknowledges that "under the 1958 amendment [to the FDC Act], a substance that is GRAS for a particular use may be marketed for that use without agency review and approval." 62 Fed. Reg. 18938, 18939 (April 17, 1997). FDA also recognizes that companies "have the right to make independent GRAS determinations on food substances." 53 Fed. Reg. 16544, 16545 (May 10, 1988).

A specially-convened independent panel of qualified scientific experts recently evaluated Wacker's α -cyclodextrin for use in foods. After a critical review of the scientific evidence, including, e.g., physical and chemical identity information, Wacker's manufacturing process, publicly available safety data, corroborating unpublished safety data, the intended uses and consumption estimates, the Expert Panel concluded that, based on scientific procedures, Wacker's α -cyclodextrin is GRAS under the conditions of its intended use in foods.

Accordingly, based on its GRAS status, Wacker's α -cyclodextrin may be legally marketed for the conditions of use in foods that were evaluated by the Expert Panel.

We trust that these comments are responsive to your inquiry. If you have any further questions, please do not hesitate to contact us.

Sincerely,



Diane B. McColl

DBM/hfm